Scott. II.27—40,906—20-12-38.

Home (1937) Department.

(9)

MS SERIES.

G.O. No. 5952

Dated 16.11.39

Despatch Abstract.

Prevention of Cruelty to Animals Act —
Sixth Annual Report — Temple
& Subramania Iyer of the
Putlur Taluk and Sitarama Village
in Kurnool Taluk during the
years at the places Negatived

35844 E
23-10-39
24

Home **DEPARTMENT.**

Received ..... 19 *Registered* 19

Subject.

Prevention of Cruelty to Animals Act - XI of 1890 as amended by Act No. XXV of 1938 - Extension to Subramania village - Puttur taluk and Sitanady village, Karkal taluk during Cattle Fairs - Recommended.

ENCLOSURES.
No. .....
.....
Spare copies .....

Ref.C.1 - No. 3300-F-39.

Station Mangalore, *Dated the* 20th October 1939. 19

From (Name) Sri Rao Bahadur C.P.Karunakara Menon,
(Designation) District Magistrate of South Kanara.

To The Secretary to the Government of Madras,
Home Department,
Madras.

Sir,

I request that the Government may be pleased to extend the provisions of the Prevention of Cruelty to Animals Act to Subramania village in the Puttur Taluk and to Sitanady village in the Karkal Taluk of this district during the Cattle Fairs which are to be held at these -- places. The fair at Kulgunda in the Subramania village is to be held from 26-11-39 to 10-12-39 both days inclusive and that at Sitanady from 22-12-39 to 31-12-39 both days inclusive.

2. It has been found by experience that calves are starved at these fairs in order to show a larger yield of

1A

milk. The extension of the Prevention of Cruelty to Animals Act will tend to minimise such cruelty. There will be no difficulty in enforcing the provisions of the Act as -- temporary Veterinary dispensaries are to be opened at the fairs and Police assistance will be available.

3. Draft notifications are submitted for approval. pps 3-4 supra

For Dt. Magistrate.

20.1.39

3/

Under sub-section (2) of section 1 of the Prevention of ... Cruelty to Animals Act, 1890 (XI of 1890), as amended by Act ... XIV of 1938, the Provincial Government are pleased to exte... it... effect from 23-11-1939 to 10-12-1939 Sections 3 to 12 ... t... Act to the ... mentioned place and under sub-sec... (2) of section 1 of the Act, to appoint the temporary ... veterinary hospital at the place to be an infirmary for the ... purposes ... in the Act.

... is the Government Village, Pettur Taluk, ... District.

... Dt. ... Veterinary Officer,
..., dated October 1939.

For District Magistrate.

20.x.39

4/

Under sub-section (2) of Section 1 of the Prevention of Cruelty to Animals Act, 1890 (XI of 1890), as amended by Act ---- XIV of 1920, the Provincial Government are pleased to extend, --- with effect from 22-12-1938 to 31-12-1939 Sections 4 to 12 of --- the said Act to the [illegible] mentioned place and under sub-section --- (2) of Section 5 of the said Act, to appoint the temporary ------ Veterinary Hospital at the place to be an infirmary for the ----- purposes of the said Act.

Situated at Vilangad, Kanjikoil Taluk, South Malabar District.

South Malabar District Magistrate's Office, Calicut, 31st October 1938.

For District Magistrate.

Prevention of Cruelty to Animals Act - South Kanara Dt.- Extension to Subramania and Sitanady villages during the Cattle Fair -

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C.No.35844-E. From the D.M.South Kanara, C.1.No.3300-M-39 d/ 20-10-39

* * *

The D.M. South Kanara recommends that the provisions of the P.C.A. Act may be extended to Subramania village in Puthur taluk and to Sitanady village in Karkal taluk during the Cattle Fairs at these places which are to be held at the respective places from 26-11-39 to 10-12-39 and from 22-12-39 to 31-12-39. The reason given in support of the proposal is that calves are starved at these fairs in order to show a larger yield of milk, and that the extension of the Act to the places will minimise such cruelty.

2. Cases of cruelty to animals can be charged both under the P.C.A. Act and under section 5 of the Towns Nuisances Act. There are however certain provisions in the P.C.A. Act (such as offering for sale a dead animal or part of a dead animal which, there is reason to belive, has been killed in an unnecessarily cruel manner and practising phooka,) which, it may not be possible to be charged under the T.N.Act. But, cases of starvation of the calves may, it seems , be considered as ill-treatment and so they can be charged under the T.N.Act. It is submitted that it has not been the practice to extend the provisions of the P.C.A.Act to areas for specified occasions. Whereas the T.N. Act provides for extending the provisions of the Act for specified occasions, there is no such provision in the P.C.A. Act. There seems however to be no objection to extending the P.C.A. Act for specified occasions by issuing two notifications one, extending the Act from a specified date under section 1 (2) and another, cancelling it from a particu-

particular date, under section 1(4) of the Act. S/P1

3. There is one advantage in extending the provisions of the P.C.A. Act and that is that the animals concerned can be remanded to infirmaries for treatment. But it is stated that at both the places, temporary veterinary dispensaries will be opened for the occasion. As soon as the fair is over, the dispensaries will be closed and the animals ~~wh~~ may be discharged before they are completely cured. There seems to be therefore no advantage in extending the P.C.A. Act to the places. It may also be mentioned ~~(~~ there is no branch of the S.P.C.A. in the dt. and ~~(~~ recently in another file Secretary ~~expressed~~ noted that he did-not like the idea of extending the P.C.A. Act to places where there ~~are~~ were no branches of the S.P.C.A. It seems therefore sufficient to extend section 5 of the T.N. Act ~~(~~ to the places during the occasion. Submitted for orders. Subject to orders, a draft order is submitted for approval.

HR 11-10-39

31/10

Through 'F'

1.11. 1.11.X

S

Have you any previous cases of either (a) the P.C.A. Act or (b) S. 5 of the T.N. Act being put into force for short periods at special occasions?

3/11/39.

Submitted that no case is traceable in which the provisions of the P.C.A. Act or, section 5 only of the J.N. Act have been extended for short periods and special occasions. There are, however cases in which section 5 (and certain other sections) of the T.N. Act have been extended for short periods / periods

(... I have seen ... noted)

6 different cases. The main object was in s. 3.

and special occasions — Please see the G.O. noted on the margin.

(E)

7-11-39.
7/11

8/11

S

Through 'F' section.

8.11

The application of the whole of the T.N. Act, or of the major provisions in it, for fairs and festivals in country places, is not uncommon, and it is really because of s.3 : the P.C.A. side of it is incidental and can't really be worked, but perhaps an odd case or two that some enthusiastic policeman may run in.

Here, the D.C. can't have given any thought to A, P.C.P. How could anyone possibly prove such a case, except by sitting by a cow, day and night, and so having evidence that she did not suckle her calf!!! And Sivaganga at least (I forget where Sitamadi is) is at least 25 miles from the nearest court.

Tell the D.C. that Govt. do not consider that the proposal is practicable in its working.

10/11/39.

N A revised draft is submitted for approval

14-11-39
14/11

15/11

Through 'F' section

14.11

Revised draft 10/

38 16(11

C.T.16.

DRAFT FOR APPROVAL.

Home (E) Dept.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT:—

Prevention of Cruelty to Animals Act — South Kanara Dt — Temporary extension to Subramania village in Puttur taluk and Sitamady village in Karkal taluk during Cattle Fairs at the places — Negatived.

READ AGAIN ——— , dated ——— 19——.

" " ——— " ——— 19——.

READ *ALSO*:—

C. No. 35844 From the D. M. South Kanara, C.I. No. 3300-M-39, dated 20-10-1939. c/f

" ——— " ——— " ——— " ——— 19——.

" ——— " ——— " ——— " ——— 19——.

Order Ms. No. 5952, dated 16. 11. 1939.

~~Resolution Rout~~

y Secy

The Govt. do not consider that the proposal to ~~prevent starvation of~~ calves by extending the provisions of the Prevention of Cruelty to Animals Act, 1890 to ~~the~~ Subramania village in Puttur taluk and to Sitamady village in Karkal taluk during the Cattle fairs at these places, is practicable in its working.

'A' c. p i c f

p i c/f

Secy rides on p 3 n/f

14-11-39

14/11

15/11

To the D. M. South Kanara

S.C. for file.

16/11